

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT  
OF PENNSYLVANIA

DONALD L. MOSHIER JR.,  
PLAINTIFF

CASE No. 05-180-ERIE

V.

FEDERAL BUREAU OF PRISONS, et.al  
DEFENDANTS

PLAINTIFF SECOND MOTION FOR AN EXTENSION  
TIME TO RESPOND TO DEFENDANTS REPLY TO  
28 U.S.C. § 1983 COMPLAINT

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NOW COMES the plaintiff, Donald L. Moshier Jr. in Pro-Se hereby respectfully request of this Honorable Court for a Second Extension Of Time to file his Traverse Response to the defendant's reply from November 30, 2006 to 90 days from then being, March 16, 2007 for the following for going reasons:

(1) The plaintiff had until November 30, 2006 to have his Traverse filed, but! the inmate that is assisting the plaintiff was taken to the Special Housing Unit (SHU) on November 16, 2006 and have all of the planitiff legals papers and documents, and plaintiff can't get them until he is

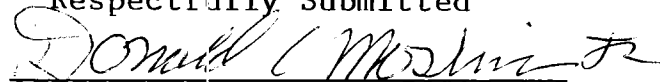
released/or alternative conclusion of the investigation that he is under. All of this is beyond plaintiff's control.

(2) This second extension will in no way prejudice the defendant's, and will actually free up a little time for the U.S. Attorney to handle other matters that are before them.

(3) As the Honorable Court have or did in the alternative granted the defendant's an extension of time to respond to the complaint, the plaintiff feels that he should be entitled to the same courtesy.

Where as the plaintiff respectfully request of this Honorable Court that this request be granted allowing him to file his Traverse Response on March 16, 2007 due to the circumstances that are beyond his control where as he prays.

Respectfully Submitted



DATE 11/17/ 2006

Donald L. Moshier # 10924-052  
USP Lewisburg, P.O.BOX 1000  
LEWISBURG, PENNSYLVANIA 17837

## CERTIFICATE OF SERVICE

I, DONALD L MOSHIER JR, hereby certify that I have served a true and correct copy of the foregoing:

### MOTION FOR AN SECOND EXTENSION OF TIME TO FILE TRAVERSE RESPONSE

Which is deemed filed at the time it was delivered to prison authorities for forwarding to the court, Houston vs. Lack, 101 L.Ed.2d 245 (1988), upon the court and parties to litigation and/or his/her attorney(s) of record, by placing same in a sealed, postage prepaid envelope addressed to:

U.S. ATTORNEY'S OFFICE  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA  
US POST OFFICE & COURTHOUSE, ROOM 204  
7th AND GRANT STREETS  
PITTSBURG, PENNSYLVANIA 15219

and deposited same in the United States Postal Mail at the United States Penitentiary,

Signed on this 17TH day of NOVEMBER, 2006

Respectfully Submitted,

Donald L Mosher Jr

REG. NO. 10924-052